

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**JOHN HEARD,**

**Plaintiff,**

**v.**

**No. 15-cv-0516 MCA/SMV**

**GREGG MARCANTEL,  
JAMES FRAWNER,  
and M.T.C. CORPORATION,**

**Defendants.**

**ORDER**

THIS MATTER is before the Court on Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. 2]. Because the Court grants the application, the filing fee for this civil rights complaint is \$350.00. Based on the information about Plaintiff's financial status, the Court will waive an initial partial payment pursuant to § 1915(b)(1). Plaintiff is required to pay the full amount of the filing fee pursuant to § 1915(b)(1). Failure to comply with this order may result in dismissal of the complaint without further notice.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. 2] is **GRANTED**, and the initial payment is **WAIVED**;

**IT IS FURTHER ORDERED** that Plaintiff file monthly financial certificates and make monthly payments of twenty per cent (20%) of the preceding month's income credited to his account or show cause why the payment should be excused; and the Clerk is directed to provide Plaintiff with two copies of the post-filing financial certificate.



**IT IS SO ORDERED.**

A handwritten signature in black ink, appearing to read 'S. Vidmar', is positioned above a horizontal line.

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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**